



IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,
Plaintiff

v.

[1] EDSSEL SAMUEL TORRES-CANCEL
[2] YOMISHEIKA MARIE MORALES-RIVERA,
Defendants.

INDICTMENT

Criminal No. 21- 041 (RAM)

VIOLATIONS:

18 U.S.C. § 371

18 U.S.C. § 922(a)(3)

18 U.S.C. § 922(a)(1)(A)

Forfeiture:

18 U.S.C. § 924(d)

28 U.S.C. § 2461(c)

TWO COUNTS

THE GRAND JURY CHARGES:

COUNT ONE

Conspiracy to Receive Firearms from out of State
(18 U.S.C. §§ 371 and 922(a)(3))

Beginning on a date unknown, but not later than on or about March 21, 2020, up until on or about February 1, 2021, in the District of Puerto Rico and elsewhere, within the jurisdiction of this Court,

[1] EDSSEL SAMUEL TORRES-CANCEL
[2] YOMISHEIKA MARIE MORALES-RIVERA

not being licensed importers, manufacturers, dealers, and collectors of firearms, did, knowingly and willfully conspire and agree together and with others to transport into and receive in the Commonwealth of Puerto Rico, where they resided, firearms purchased and otherwise obtained outside the Commonwealth of Puerto Rico, in violation of 18 U.S.C. §§ 371 and 922(a)(3).

OBJECT OF THE CONSPIRACY

It was the purpose and object of the conspiracy to receive in Puerto Rico, through the use of the United States Mail, firearms purchased or otherwise obtained outside of Puerto Rico.

MANNER AND MEANS OF THE CONSPIRACY

The object of the conspiracy was to be accomplished in substance as follows:

1. [1] EDESEL SAMUEL TORRES-CANCEL and [2] YOMISHEIKA MARIE MORALES-RIVERA would transfer funds to co-conspirators in Florida.
2. Co-conspirators would acquire firearms in Florida and send them to Puerto Rico via the United States Postal Service.
3. [1] EDESEL SAMUEL TORRES-CANCEL and [2] YOMISHEIKA MARIE MORALES-RIVERA would receive in Puerto Rico the firearms sent from Florida.

OVERT ACTS

In furtherance of the conspiracy and to effect the object of the conspiracy, the following overt acts, among others, were committed in the District of Puerto Rico and elsewhere:

1. On or about May 11, 2020, [1] EDESEL SAMUEL TORRES-CANCEL sent a wire transfer to a co-conspirator in Florida for the purchase of firearms.
2. On or about May 11, 2020, a co-conspirator purchased a firearm in Florida.
3. On or about May 11, 2020, [1] EDESEL SAMUEL TORRES-CANCEL provided his address in Puerto Rico to the co-conspirator that purchased the firearm in Florida.
4. On or about May 12, 2020, a co-conspirator mailed a firearm to the address [1] EDESEL SAMUEL TORRES-CANCEL had provided.
5. On or about January 20, 2021, [2] YOMISHEIKA MARIE MORALES-RIVERA sent wire transfer to a co-conspirator in Florida for the purchase of firearms.

6. On or about January 25, 2021, [1] EDESEL SAMUEL TORRES-CANCEL instructed a co-conspirator on how to package the parcel.

7. On or about January 25, 2021, in Orlando, Florida, a co-conspirator tendered to the United States Postal Service, a Priority Mail Express Parcel bearing tracking number EJ 403 706 986 US that contained six Glock pistols and seventeen pistol magazines.

8. On or about February 1, 2021, [2] YOMISHEIKA MARIE MORALES-RIVERA took possession of a parcel bearing tracking number EJ 403 706 986 US, sent from Orlando, Florida to 31 Calle BJ-4 Altos, Urb. Rexville, Bayamon, PR, 00957 in Bayamon, Puerto Rico, and containing six Glock pistols and seventeen pistol magazines.

All in violation of 18 U.S.C. §§ 371 and 922(a)(3).

COUNT TWO

Conspiracy to Engage in Firearms Trafficking Without a License
(18 U.S.C. §§ 371 and 922(a)(1)(A))

Beginning on a date unknown, but not later than on or about March 21, 2020, and continuing up to and until on or about February 1, 2021, in the District of Puerto Rico and elsewhere within the jurisdiction of this Court, the Defendants,

[1] EDESEL SAMUEL TORRES-CANCEL
[2] YOMISHEIKA MARIE MORALES-RIVERA

together with others known and unknown to the Grand Jury, knowingly and willfully conspired and agreed to commit offenses against the United States, namely, to engage in the business of dealing in firearms without a license or in the course of such business to ship, transport, or receive any firearm in interstate or foreign commerce, contrary to 18 U.S.C. § 922(a)(1). All in violation of 18 U.S.C. § 371.

OBJECT OF THE CONSPIRACY

It was the purpose and object of the conspiracy to engage in the business of dealing in firearms without a license and in the course of that business to ship firearms from Florida to Puerto Rico for distribution within Puerto Rico for pecuniary gain.

MANNER AND MEANS OF THE CONSPIRACY

The object of the conspiracy was to be accomplished in substance as follows:

1. [1] EDESEL SAMUEL TORRES-CANCEL and [2] YOMISHEIKA MARIE MORALES-RIVERA would transfer funds to co-conspirators in Florida.
2. Co-conspirators would acquire firearms in Florida and send them to Puerto Rico via the United States Postal Service.
3. [1] EDESEL SAMUEL TORRES-CANCEL and [2] YOMISHEIKA MARIE MORALES-RIVERA would receive in Puerto Rico the firearms sent from Florida.
4. [1] EDESEL SAMUEL TORRES-CANCEL would sell in Puerto Rico the firearms sent from Florida.

OVERT ACTS

In furtherance of the conspiracy and to effect the object of the conspiracy, the following overt acts, among others, were committed in the District of Puerto Rico and elsewhere:

1. On or about May 11, 2020, [1] EDESEL SAMUEL TORRES-CANCEL sent a wire transfer to a co-conspirator in Florida for the purchase of firearms.
2. On or about May 11, 2020, a co-conspirator purchased a firearm in Florida.
3. On or about May 11, 2020, [1] EDESEL SAMUEL TORRES-CANCEL provided his address in Puerto Rico to the co-conspirator that purchased the firearm in Florida.
9. On or about May 12, 2020, a co-conspirator mailed a firearm to the address [1]

EDSEL SAMUEL TORRES-CANCEL had provided.

4. On or about January 20, 2021, [2] YOMISHEIKA MARIE MORALES-RIVERA sent wire transfer to a co-conspirator in Florida for the purchase of firearms.

5. On or about January 25, 2021, [1] EDSEL SAMUEL TORRES-CANCEL instructed a co-conspirator on how to package the parcel.

6. On or about January 25, 2021, in Orlando, Florida, a co-conspirator tendered to the United States Postal Service, a Priority Mail Express Parcel bearing tracking number EJ 403 706 986 US that contained six Glock pistols and seventeen pistol magazines.

7. On or about February 1, 2021, [2] YOMISHEIKA MARIE MORALES-RIVERA took possession of a parcel bearing tracking number EJ 403 706 986 US, sent from Orlando, Florida to 31 Calle BJ-4 Altos, Urb. Rexville, Bayamon, PR, 00957 in Bayamon, Puerto Rico.

All in violation of 18 U.S.C. §§ 371 and 922(a)(1).

FIREARMS FORFEITURE ALLEGATION
(18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c))

The allegations contained in Counts One and Two of this Indictment are realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to 18 U.S.C. § 924(d) and 28 U.S.C § 2461(c).

Upon conviction of the offenses set forth in Counts One and Two of this Indictment, the defendants, [1] EDSEL SAMUEL TORRES-CANCEL and [2] YOMISHEIKA MARIE MORALES-RIVERA, shall forfeit to the United States pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), any firearms and ammunition involved in the commission of the offense, including, but not limited to: one (1) Glock pistol, model 27, .40 caliber, bearing serial number UYH654; one (1) Glock pistol, model 27, .40 caliber, beating serial number BPL457; one (1) Glock pistol, model 30, .45 caliber, bearing serial number MKN309; one (1) Glock pistol, model

19, 9mm caliber, bearing serial number MGZ008; one (1) Glock pistol, model 19X, 9mm caliber, bearing serial number BRGG271; one (1) Glock pistol, model 19 Gen5, 9mm caliber, bearing serial number BMFV527; and eighteen (18) pistol magazines of assorted calibers and capacity.


All pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c).

TRUE BILL,

FOREPERSON

Date: February 17, 2021

W. STEPHEN MULDROW
United States Attorney


Jonathan L. Gottfried
Assistant U.S. Attorney
Chief, Violent Crimes Division


Jeanette M. Collazo-Ortiz
Assistant U.S. Attorney